IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 12TH DECEMBER 2006 / 21ST AGRAHAYANA 1928

Bail Appl..No. 7360 of 2006()

CRMP.5141/2006 of D.C. & SESSIONS COURT, KOLLAM

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PETITIONER/2ND ACCUSED

THAMPI ACHARY, S/O.PADMANABHAN ACHARY,
SREE PADMANABHAM, KALLUVATHUKKAL P.O.,
KOLLAM.

BY ADV. SRI.B.MOHANLAL

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE SUB INSPECTOR OF POLICE, PARIPPALLY POLICE
STATION, KOLLAM DISTRICT THROUGH THE PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 7360 of 2006

DATED: December 12, 2006

O R D E R

Petitioner who is the 2nd accused in Crime No. 376/04 of Parippally Police Station for offences punishable under Sections 420, 306, 465, 467, 468, 471, 460, 417 and 419 read with Sec. 120 B I.P.C., seeks anticipatory bail.

2. The case of the prosecution is that the first accused who is the wife of the 2nd accused (the petitioner herein) had practicing impersonation as the de facto complainant had by fraudulent means s availed a loan of Rs. 1,35,000/- from Kallakode Service Co-operative Bank in the name of the de facto complainant and her husband and when proceedings were initiated against the properties of the de facto complainant her husband committed suicide.

3. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the magistrate court and files an application for regular bail within ten days from today, the same shall be considered and disposed of, preferably, on the same day on which it is filed.

With the above observation this application is dismissed.

Sd/- **V.RAMKUMAR, JUDGE.**

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